

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of STANLEY PODZIELNY and U.S. POSTAL SERVICE,
POST OFFICE, Jersey City, N.J.

*Docket No. 95-2425; Submitted on the Record;
Issued March 10, 1998*

DECISION and ORDER

Before WILLIE T.C. THOMAS, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether the Office of Workers' Compensation Programs properly reduced appellant's compensation benefits, effective October 25, 1993, based on its determination that the selected position of checker clerk II fairly and reasonably represented appellant's wage-earning capacity.

The Board has given careful consideration to the issue involved, the contentions of appellant on appeal and the entire case record. The Board finds that the decision of the hearing representative of the Office, dated March 31, 1995, is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.

The decision of the Office of Workers' Compensation Programs dated March 31, 1995 is hereby affirmed.¹

Dated, Washington, D.C.
March 10, 1998

Willie T.C. Thomas
Alternate Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

¹ The Board notes that the hearing representative affirmed the Office's July 11, 1994 decision.